

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> STREET S.W.**  
**WASHINGTON DC 20554**

MEDIA BUREAU  
AUDIO DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [WWW.FCC.GOV/MB/AUDIO](http://WWW.FCC.GOV/MB/AUDIO)

PROCESSING ENGINEER: Robert Gates  
TELEPHONE: (202) 418-2700  
FACSIMILE: (202) 418-1410  
MAIL STOP: 1800B3  
INTERNET ADDRESS: [Robert.Gates@fcc.gov](mailto:Robert.Gates@fcc.gov)

Educational Media Foundation  
5700 West Oaks Blvd  
Rocklin, CA 95765

AUG 25 2010

In Re: K220JO, Sioux Falls, SD  
Facility ID # 94138  
BMPFT-20100203ABY

Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above-captioned application for K220JO, Sioux Falls, South Dakota; (2) the Informal Objection filed by Backyard Broadcasting South Dakota Licensee, LLC ("Backyard") on May 6, 2010, and all related pleadings. For the reasons set forth herein, we dismiss the Informal Objection and grant the pending application.

Backyard purports that the proposed translator will cause interference to KELO-FM, Sioux Falls, South Dakota. Backyard claims that the proposed facility "will have an adverse impact on Backyard's ability to monitor the KELO-FM signal" and is in violation of Section 74.1204(f). In order to provide convincing evidence under Section 74.1204(f) that grant of the translator construction permit "will result in interference to the reception" of an existing full-service station, an opponent must provide, at a minimum: (1) the name and specific address of each listener for which it claims credit; (2) some demonstration that the address of each purported listener falls within the 60 dBμ contour of the proposed translator station;<sup>1</sup> (3) some evidence, such as a declaration from each of the claimed listeners, that the person listens to the full-service station at the specified location; and (4) evidence that grant of the authorization will result in interference to the reception of the "desired" station at that location. The "undesired-to-desired" ("U/D") signal strength ratio methodology may be used to demonstrate the potential for interference under Section 74.1204(f).<sup>2</sup> Section 74.1204(f) requires the objector to show that a specific U/D signal strength ratio is exceeded at the location of a *bona fide* listener of the desired station to establish that interference will result. The petitioner did not include any listener complaints to comply with the requirements of Section 74.1204(f).

Backyard purports that this proposed translator will cause interference to the future digital signal of KELO-FM. However, KELO-FM is not operating a digital signal. If KELO-FM commences digital operations and interference occurs from the translator, we will take the appropriate actions to remedy the interference, pursuant to 47 CFR Section 74.1203.

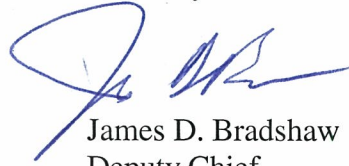
---

<sup>1</sup> The best method is to plot the specific addresses on a map depicting the translator station's 60 dBμ contour.

<sup>2</sup> See *The Association for Community Education, Inc.*, FCC 04-155, Para. 13, (rel. July 8, 2004).

Accordingly, the Informal Objection filed on May 6, 2010 by Backyard IS HEREBY DISMISSED AND BMPFT-20100203ABY IS HEREBY GRANTED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Bradshaw', is written over the printed name.

James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

cc: David Oxenford  
Greg Masters  
Kathleen Victory